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10	THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA			
11				
12	FOR THE NORTHERN B	DISTRICT OF CALIFORNIA		
13	YINTAO YU, an individual,	Case No. 3:23-cv-04910-SI		
14	Plaintiff	JOINT STIPULATION REGARDING		
15	v.	LIMITED USE OF POTENTIALLY PRIVILEGED DOCUMENTS;		
16	BYTEDANCE INC., a Delaware Corporation;	[PROPOSED] ORDER		
17	SHUYI (SELENE) GAO, an individual,	[Originally San Francisco Superior Court No.		
18	Defendants	CGC-23-608845]		
19				
20	BYTEDANCE INC., a Delaware Corporation,			
21	Counter-Claimant	State Action Filed: September 5, 2023		
22	V.	Removal Date: September 25, 2023 Trial Date: November 18, 2024		
23	YINTAO YU, an individual,	That Date. November 16, 2024		
24	Counter-Defendant			
25				
$\begin{bmatrix} 25 \\ 26 \end{bmatrix}$				
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Z / L	I .			

1	ADDITIONAL COUNSEL
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21	Attorneys for Plaintiff / Counter-Defendant
22	YINTAO YU
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- 1. WHEREAS, the Parties are engaged in discovery concerning their dispute over the formation of plaintiff Yintao Yu's contracts related to his employment with defendant ByteDance Inc. ("BDI"), including what particular documents Mr. Yu purportedly executed.
- 2. WHEREAS, BDI has identified documents relevant to this inquiry, which, however, also involve communications with BDI's in-house counsel or reflect the advice of counsel.
- 3. WHEREAS, the Parties have agreed that said documents may be produced in this matter without prejudice to BDI or its affiliates' rights to assert the attorney-client privilege or other protections that would bar the use of said documents in any other proceeding, including in such proceedings involving Mr. Yu and BDI.
- 4. WHEREAS, nothing in this Stipulation and Order shall be construed as a finding or admission that a particular document is or is not covered by the attorney-client privilege, attorney work product doctrine, or other similar protection.

NOW THEREFORE, the Parties hereby stipulate and agree to the following:

- That the production by BDI of documents labeled with the legend LIMITED USE NO WAIVER shall not constitute a waiver of the attorney-client privilege in this or any other federal or state proceeding under Federal Rules of Evidence 502(d) and 502(e).
- 2. That Plaintiff does not waive its right to challenge BDI's claim of privilege over any document produced pursuant to this Agreement.
- 3. That Plaintiff's receipt, review, and retention of documents produced under this Order shall not constitute any professional or ethical violation, and that Defendants will not seek sanctions or disqualification of Plaintiff's counsel upon such grounds.

IT IS HEREBY STIPULATED.

DATED: June 12, 2024 GREENBERG TRAURIG, LLP

By: /s/ David S. Bloch

Charles O. Thompson

David Bloch

Anthony E. Guzman II

Attorneys for Defendant / Counter-Claimant

BYTEDANCE INC.

1	DATED: June 12, 2024		LITTLER MENDELSON, P.C.
2		By:	/s/ Demery Ryan
3		•	Gregory Iskander
4			Demery Ryan
5			David S. Maoz Attorneys for Defendant
			SHUYI (SELENE) GAO
6 7	DATED: June 12, 2024		NASSIRI & JUNG LLP
8		D.	/s/ Jaima Dananhaum
		By:	/s/ Jaime Dorenbaum Charles H. Jung
9			Jaime Dorenbaum
10			Page Barnes
11			Attorneys for Plaintiff / Counter-Claimant
12			YINTAO YU
13			
14	ATTESTATION		
	Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures. I attest that concurrence in the filing of		
15	this document has been obtained from the other signatories.		
16	uns document has been obtained from t	ine our	er signatories.
17	DATED: June 12, 2024		GREENBERG TRAURIG, LLP
18		By:	/s/ David S. Bloch
19			Charles O. Thompson
20			David Bloch Anthony E. Guzman II
			Attorneys for Defendant / Counter-Claimant
21			BYTEDANCE INC.
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PROPOSED ORDER APPROVING STIPULATION

Pursuant to Federal Rules of Evidence 502(d) and (e), and for good cause shown,

IT IS SO ORDERED.

DATED: <u>June 13</u>, 2024

HON. SUSAN ILLSTON U.S. DISTRICT JUDGE